

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 3:15-CR-00358-JZ
)	
Plaintiff,)	JUDGE JACK ZOUHARY
)	
v.)	
)	
YAHYA FAROOQ MOHAMMAD,)	<u>PARTIALLY UNOPPOSED MOTION TO</u>
IBRAHIM ZUBAIR MOHAMMAD,)	<u>CONTINUE THE JUNE 28 HEARING</u>
ASIF AHMED SALIM, AND)	
SULTANE ROOME SALIM,)	
Defendants.		

Now comes the United States of America, by and through its attorneys, Carole S. Rendon, Acting United States Attorney, and Matthew W. Shepherd and Christos N. Georgalis, Assistant U.S. Attorneys, and submits this Partially Unopposed Motion to Continue the June 28 Hearing (the “Motion”) until a date in or around mid-July as provided in further detail below. For the following reasons, the government respectfully requests that its partially unopposed Motion be granted.

On May 18, 2016, this Court issued an Order regarding all parties setting forth a schedule for the filing of motions and presentment of argument at hearings. (Doc. 92, 05/18/2016 Order). As part of that Order, this Court set the date and time of June 28, 2016, at 9:30 am, wherein “[a]ll

pending non-FISA motions [would] be addressed.” (Id.) According to the schedule set forth in this Court’s Order (and subsequently extended through the granting of a motion to extend time to file), Defendants filed several non-FISA motions, to which the government filed responses in opposition. Specifically, Defendants’ non-FISA motions included Motions to Sever (Doc. 78, 05/19/2016 Asif Salim Motion to Sever; Doc. 91, 05/13/2016 Sultane Salim Motion to Sever) and Relief from Prejudicial Joinder (Doc. 77, 05/09/2016 Ibrahim Mohammad Motion to Sever), Motions to Dismiss certain counts of the Indictment (Doc. 76, 05/09/2016 Ibrahim Mohammad Motion to Dismiss; Doc. 79, 05/09/2016 Asif Salim First Motion to Dismiss, Doc. 93, 05/18/2016 Sultane Salim Motion to Dismiss), as well as several others. On June 9, 2016, the government filed responses in opposition to Defendants’ non-FISA motions.

As stated above, this Court has scheduled the date of June 28, 2016, as the day on which the non-FISA motions discussed above would be addressed by the Court at hearing. Through this partially unopposed Motion, the government respectfully requests that this date be continued until mid-July. The government has obtained information that may have an impact on several of the non-FISA motions that have been filed in this matter as well as on the June 28 hearing date. The government has had conversations with defense counsel regarding this information. The government is in the process of analyzing that information and determining the next steps it plans to take. As such, the government respectfully requests that the June 28 hearing date be continued until mid-July. The government is informed that most of the parties are available on the dates of July 12-14, 2016, though counsel for Yahya Farooq Mohammad indicated that he will be in trial that week until approximately July 20, 2016.

Counsel for Defendants Sultane Salim and Ibrahim Mohammad have stated that they do not oppose this Motion. Counsel for Defendant Yahya Farooq Mohammad stated that they “take

no position [on the Motion] due to lack of sufficient information either to agree or oppose.”

Counsel for Defendant Asif Salim stated that she “was unable to confer with her client and thus, she takes no position on the government’s request for a continuance.”

For the reasons set forth above, the government respectfully requests that this Partially Unopposed Motion to Continue the June 28 Hearing be granted.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of June 2016 a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Christos N. Georgalis
Christos N. Georgalis
Assistant U.S. Attorney